# APPENDIX

## Petitioner's Exhibit 1

### AFFIDAVIT

CITY OF WASHINGTON }
DISTRICT OF COLUMBIA } ss.

I, William E. Bufalino, a citizen of the United States, residing at 79 Webber Place, Grosse Pointe Shores, Michigan, a member of the bar of the Supreme Court of the Commonwealth of Pennsylvania, and a member of the bar of the Supreme Court of the United States, state as follows:

1. From 1957 to date, I have been one of the personal attorneys for James R. Hoffa. I was associated with other counsel representing Mr. Hoffa in the case of *United States* v. *James R. Hoffa,* et al, Crim. No. 11,989, which was tried in the United States District Court for the Eastern District of Tennessee, Southern Division, which was tried in Chattanooga from January 20, 1964 to March 4, 1964. I assisted Mr. Hoffa's trial attorneys, as well as approximately 10 other attorneys who represented co-defendants. My work consisted of pretrial investigation and legal preparation prior to and during the trial.

2. On or about January 10, 1964, some 10 days prior to the commencement of the trial, I went to the Hotel Patten in Chattanooga, Tennessee, to establish an office as defense quarters and to arrange living quarters for Mr. Hoffa and all defense attorneys. I made arrangements to block out approximately 15 rooms on the ninth floor of the hotel.

3. I arranged for a suite consisting of a living room and bedroom for James R. Hoffa numbered Rooms 912 and 914. Mr. James E. Haggerty, Sr., chief trial counsel, was assigned Room 908, consisting of a bedroom and a living room. The living room was converted into a conference room where the attorneys could consult with each other and their clients.

4. I took Room 906, which I had converted into a combination office and bedroom. There were office facilities for two stenographers.

5. Frequent conferences were held prior to the trial and almost every night during the trial between attorneys and defendants in these rooms. These conferences covered trial strategy, tactics, testimony of prospective witnesses, and general evaluations of the posture of the case.

6. All of the active planning of the defense, as well as discussions regarding witnesses to be subpoenaed, the nature of their testimony, as well as private consultations with the individual defendants and their attorneys were held in these rooms.

Telephones in these rooms were used by me and other attorneys to communicate with witnesses, to discuss their testimony and schedule their appearances, not only in connection with this case, but for the trial of Mr. Hoffa which was scheduled to begin in Chicago, Illinois after the termination of the Chattanooga trial. In addition, these phones were used to communicate with other attorneys who were not available for conferences to bring them up to date on trial matters.

William E. Bufalino
WILLIAM E. BUFALINO

CITY OF WASHINGTON
DISTRICT OF COLUMBIA } ss.

Subscribed and sworn to before me, a Notary Public in and for the District of Columbia, this 19th day of January, 1967.

ANN L. SPRAGUE, Notary Public, D. C.
Ann L. Sprague

My commission expires June 30, 1970.

**Petitioner's Exhibit 2**

AFFIDAVIT

District of Columbia): ss.

BENJAMIN DAVID NICHOLS of Heiskell, Tennessee, being duly sworn, deposes and says:

1. For the past approximately ten years I have worked with the F.B.I., through the Knoxville, Tennessee, office, under the supervision of John A. Parker who was and still is with the F.B.I.

2. Prior to June of 1958 the services for which I was compensated were paid on a per-job basis.

3. In June of 1958, John A. Parker asked me to assist in a matter involving the military and the C.I.C. which incorporated my enlisting in the U.S. Army in order to perform the task set forth by John A. Parker. At that time I was assured of a retainer of $200 a month which continues to date.

4. During the period of my military status, John A. Parker paid to my wife in cash $200 per month. After I left the service the same $200 in cash was paid to me on or about the fifteenth of each month. This was true up until six months ago at which time Agent John A. Parker was transferred from the Knoxville office of the F.B.I. to the Pittsburgh office in Pennsylvania and I was asked by Parker to then take my supervision and $200 payment per month from Agent Quinn who has his office in Oak Ridge, Tennessee. John A. Parker, who has been a personal friend as well as my supervisor, told me to work with and do whatever was asked of me by Quinn as I had done in the past with him.

5. Approximately the middle of January, 1964, I was asked by John A. Parker to appear in his office the following day. I was told that it was important that I attend and make myself as presentable as possible, which I did.

At this meeting, I was introduced to an F.B.I. agent named James L. McGovern. I was told by John A. Parker at this meeting not to take on any additional work (he was referring to a private electronic contracting business which I had) as they wanted to use my services in connection with some other business with the F.B.I. This I later found out had to do with the Hoffa trial in Chattanooga for which I was paid additional compensation of $842 in addition to the $200 retainer which I had been collecting.

6. On or about the 16th or 17th of January, 1964, after the meeting with John A. Parker, Mr. Parker brought to my home in Heiskell, Tennessee, where I have lived for approximately seven years, the following equipment: two tape recorders, numerous transmitters, two radio receivers and allied component parts. I was instructed to go to Chattanooga the next day and, at a specific hour, to call the F.B.I. office in Chattanooga under the code name of Major, which I did.

7. Later that night, as instructed, I met with two men, one who identified himself as Walter Sheridan who did not introduce the man who accompanied him. I was told by Mr. Sheridan to install the equipment which I brought in accordance with a sketch which he handed me and to work with the individual who had accompanied him. I recall Mr. Sheridan handing him keys and stating that, "this is Major and he will work with you."

8. During the evening of the 17th or 18th of January, at approximately 9:30 or 10:00 p.m., we left Walter Sheridan and went to a hotel which I found to be the Read House, where we went to the tenth floor and started to install the equipment that I brought to Chattanooga and was given to me by John A. Parker.

9. After installing the transmitters and placing them in the rooms in accordance with the sketch and tapping the telephone wires of the various rooms at the terminal box, a recorder and a receiver were placed in a central room

next to the elevator. This equipment was equipment which I am familiar with and have used many times in connection with my work for the purposes of interception, telephone wiretapping, recording conversations and monitoring and have personally used similar type of equipment in other cases.

10. I then waited around and was asked by the individual I accompanied to go into each room and softly count and then pick up each telephone and do likewise in order that the equipment could be tested.

11. We then left the Read House and went to the ninth floor of what I learned to be the Patten Hotel. In accordance with the sketch given to me by Walter Sheridan, I placed some of the additional equipment (which were transmitters) in the various rooms indicated, which were rooms 906, 908, 912 and 914. These transmitters were similar to the transmitters placed in the Read House.

12. When I completed that installation we left and went to the basement where, again, in accordance with the sketch given to me by Walter Sheridan, I tapped the telephone wires located in rooms 906, 908, 912 and 914 on the ninth floor of the Patten Hotel, and installed the remaining equipment to complete the tap. I was then asked to go back to the rooms indicated by the sketch on the ninth floor, again count softly and test the telephones which I had tapped. All of the equipment checked out so I went back to the basement and we then left.

13. We were met by Walter Sheridan who drove me to the Southern Hotel where I checked in under an assumed name which Mr. John A. Parker stated I should do. During the ride from the Patten Hotel, Mr. Sheridan asked us if everything checked out on the installations and we told him that it was right. He then started to laugh and stated that a conviction now in Chattanooga would fix Hoffa's wagon in the other case. He also ordered me to keep

myself available in the event that he required other work besides maintenance of the transmitters which I did.

14. Sometime later, while reporting to the F.B.I. office in Chattanooga under my code name Major, I was asked to meet Walter Sheridan at an appointed time near the Patten Hotel. Again this was approximately 9:00 or 10:00 p.m. I did meet Walter Sheridan who was alone in his automobile. Mr. Sheridan wanted me to go back to the basement of the Patten Hotel with him, which I did. He asked me to wait outside the door leading into the room where I had placed the equipment and made the telephone tap. He then called me into the room and said that he did not think that the recorder was performing right and did I know what was wrong with it. I immediately saw that a jack was loose and pushed it back in and told him that it was jarred by moving.

15. He then picked up several tapes and told me to go to the car and that he would be with me in a minute. He came out to the car with the tapes in an envelope. I know this, for he referred to them in his conversation as we were going down to the Read House and stated that he knew that they were going to win this case because Hoffa and his "legal beagles were going crazy."

16. We proceeded to the Read House and he asked me to stay in the car. About ten minutes later he came down with an identical type of package which contained tapes and he indicated that the jury pretty well had made up their minds. He then started to take me to the Southern Hotel and I indicated to him that I no longer was staying there and that I would prefer his dropping me off at the Grand Hotel where I was to be picked up by a young lady.

17. I did not see nor talk to Walter Sheridan again, although I was on the case for about three months, but I was in constant touch with the F.B.I. office in Chattanooga and did talk several times from my friend's home to John A. Parker in Knoxville. Parker instructed me to stay in

Chattanooga until such time as I was told to come back. I had complained about my inactivity and he told me that I was still on the job and getting paid and so I should stay.

The above information which I have stated in the foregoing affidavit is voluntarily given without threat or duress. The purpose for this affidavit is based upon my personal reasons which have been thoroughly given in statement form to the attorneys for Mr. James R. Hoffa. The question of the reward is only a partial reason for the giving of this affidavit. I have been an informer for the F.B.I.; I have tapped many telephone wires and performed many functions for the F.B.I.; I have even stolen for the F.B.I. in conjunction with other agencies that required such service, the details of which have been incorporated in a statement given to Mr. Hoffa's attorneys. I feel that I have been a captive of the F.B.I. and that, too, is explained more fully in the statement given to the attorneys for Mr. Hoffa. I have made available to Mr. Hoffa's attorneys certain pertinent documents substantiating not only my qualifications in the electronics field, but other evidence with respect to my association with the F.B.I. and other agencies.

Benjamin D. Nichols
BENJAMIN DAVID NICHOLS

Sworn to and subscribed before me this 11th day of January, 1967.

Ann L. Sprague
Notary Public

My commission expires June 30, 1970.

**Petitioner's Exhibit 3**

AFFIDAVIT

CITY OF WASHINGTON
DISTRICT OF COLUMBIA } ss.

I, James R. Hoffa, being first duly sworn on oath, state as follows:

1. I was a co-defendant in the case of *United States* v. *James R. Hoffa, et al,* in the United States District Court for the Southern District of Florida, Orlando Division, Orl. Crim. No. 1241. The indictment in this case was returned on December 7, 1960. This indictment was dismissed by the Court. I was reindicted on October 11, 1961 on the same charge in Orl. Crim. No. 1282-61. This case was later transferred for trial to the United States District Court for the Middle District of Florida, Tampa Division. This case will hereinafter be referred to as the Sun Valley case.

2. On May 18, 1962, I was indicted as a co-defendant in the case of *United States* v. *James R. Hoffa, et al,* United States District Court for the Middle District of Tennessee, Nashville Division. This case was tried in Nashville, Tennessee from October 22 to December 23, 1962. This case was mistried for failure of the jury to agree on a verdict.

3. On May 9, 1963, I was named a co-defendant in the case of *United States* v. *James R. Hoffa, et al,* United States District Court for the Middle District of Tennessee, Nashville Division. This case was subsequently transferred to Chattanooga, Tennessee for trial and became known as *United States* v. *James R. Hoffa, et al,* United States District Court for the Eastern District of Tennessee, Southern Division, Crim. No. 11989. This case will hereinafter be referred to as the Chattanooga case.

4. On June 4, 1963, the indictment in the Sun Valley case was dismissed by the Court at the request of the Government. On the same day, I was named a co-defendant in the case of *United States* v. *James R. Hoffa, et al,* United

States District Court for the Northern District of Illinois, Eastern Division, No. 63 CR 617. This will hereinafter be referred to as the Chicago case.

5. In dismissing the Sun Valley case, the Government stated to the Court that the essentials of the Sun Valley matter were embodied in the Chicago indictment.

6. The Chattanooga case was tried in that city from January 20 to March 4, 1964. During that time I stayed at the Patten Hotel. As I recall, my rooms were 912 and 914. My attorneys occupied many of the rooms on the same floor.

7. Almost every evening at the close of the trial, my attorneys and I held conferences in my rooms, as well as in the suite of my chief trial counsel, James E. Haggerty, Sr. of Detroit, now deceased, who occupied Suite 908, and in the room of another of my attorneys, William E. Bufalino.

8. During these conferences we discussed trial techniques, trial strategy, the summoning of prospective witnesses, the testimony of prospective witnesses, the defense plans and the legal bases to support their positions.

9. Discussions were also had in these rooms between my attorneys and the attorneys for the co-defendants, as well as discussions between the co-defendants and their counsel.

10. On many occasions, my attorneys and I used the telephones in Rooms 906, 908, 912 and 914. In these telephone conversations we freely discussed defense plans and strategy. Defense lawyers communicated freely over the telephones in these rooms. Frequently, Mr. Haggerty would communicate by telephone with research assistants at a nearby law library directing them in their research of questions raised in the trial. These calls were made from Rooms 912-914, 906 and 908.

11. The Chicago trial was scheduled to commence shortly after the termination of the Chattanooga trial. For that

reason, it was necessary for my attorneys not only to conduct the Chattanooga case, but at the same time to make plans for the defense of the Chicago case. In the preparation for the Chicago trial, we had many discussions in these rooms of factual matters constituting the defense of the case, as well as the legal problems involved. To that end, I disclosed to my attorneys all the facts which were to be ultimately used in my defense in the Chicago trial.

12. Also some of the counsel who were defending co-defendants both in the Chattanooga and Chicago cases consulted with each other on the legal problems and general trial strategy for the conduct of the Chicago trial.

13. Mr. Bufalino has been one of my associate counsel since March of 1957. I have had numerous telephone communications with Mr. Bufalino with respect to all of the prosecutions set forth in paragraphs 1 to 4 above.

14. The Chicago grand jury which returned the indictment against me on June 4, 1963 had been investigating matters occurring from 1956 which were involved in the Chicago case.

15. During the 10 years that Mr. Bufalino has been my associate counsel, I communicated with him many times through his private telephone number, Tuxedo 1-6859, at Grosse Pointe Shores, Michigan. I talked freely with him with reference to my legal problems. I advised him what our other trial and local counsel were planning to do in all the cases that were pending against me. He, in turn, advised me of the communications he had had with other trial and local counsel and what their views were with respect to my legal position. Mr. Bufalino also disclosed to me the results of investigations he had undertaken in my defense.

James R. Hoffa

JAMES R. HOFFA

CITY OF WASHINGTON }
DISTRICT OF COLUMBIA } ss.

Subscribed and sworn to before me, a Notary Public in and for the District of Columbia, this 19th day of January, 1967.

ANN L. SPRAGUE

My Commission expires June 30, 1970.

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**Petitioner's Exhibit 4**

**AFFIDAVIT**

CITY OF WASHINGTON }
DISTRICT OF COLUMBIA } ss.

I, Jacques M. Schiffer, being first duly sworn, depose and say that I am an attorney at law duly admitted to the courts of the State of New York.

During the years 1959 to 1963, inclusive, I was professionally engaged by Benjamin Dranow and S. George Burris for the purpose of determining the facts involving a project known as Sun Valley, located at Titusville, Brevard County, Florida. During this period, I visited Miami, Florida numerous times, and on many of those times, I conferred with Mr. Dranow, Mr. Burris and Mr. Ben Sigelbaum concerning the Sun Valley project, in the office of Mr. Sigelbaum in the Dupont Plaza Building, Miami, Florida. On some occasions, Mr. Sigelbaum or Mr. Burris or Mr. Dranow were absent from the meetings at Mr. Sigelbaum's office, but at all meetings to which I refer one or more of the above individuals, to wit: Mr. Dranow, Mr. Burris, or Mr. Sigelbaum, was present. In some sessions, Mr. Julius I. Friedman, Mr. Sigelbaum's attorney was present.

At all the meetings in Mr. Sigelbaum's office, intimate details concerning Sun Valley were fully discussed and Mr. Sigelbaum's office telephones were regularly used by the persons mentioned and others. On occasions when Mr.

Dranow was not present at a meeting, Mr. Sigelbaum communicated with Mr. Dranow by telephone and they discussed and resolved various questions involved in the Sun Valley project.

At other times, Mr. Dranow and I communicated by telephone from Mr. Dranow's home with Mr. Sigelbaum at his office. We discussed various legal and financial aspects of the Sun Valley transactions; and I, in turn, communicated the problems and results to Mr. Burris.

In these conversations, Mr. Sigelbaum advised us he was negotiating with a Mr. Ed Levinson of the Fremont Hotel in Las Vegas, Nevada, concerning Levinson's participation in the Sun Valley project. He also said he expected to bring a relative of Mr. Levinson's into the project.

I am also attorney of record for Thomas Ewing Parks, a co-defendant in the cause entitled *United States* v. *James R. Hoffa, et al.* Criminal No. 11989, *et al.* indictment returned May 9, 1963, referred to herein as the Chattanooga trial, and I am attorney of record for Abe I. Weinblatt, a co-defendant, and co-counsel for Benjamin Dranow, a co-defendant, in the cause entitled *United States* v. *James R. Hoffa, et al,* indictment returned June 4, 1963, referred to herein as the Chicago trial, Criminal No. 63-CR-317, *et al.*

The United States Government, in a memoranda filed in the United States District Court for the District of Columbia, pertaining to a cause entitled *United States of America* v. *Robert Baker,* which cause is pending in said Court of the District of Columbia, admitted that the Government had illegally tapped the telephone wires of defendant Baker, and the aforesaid Ed Levinson, and illegally concealed a microphone in the office of the aforesaid Ben Sigelbaum at the Du Pont Plaza building, and that such illegal tapping of telephone wires took place during the very same period when the above referred to conversations, pertaining to Sun Valley, were had between myself and my clients, Dranow and Burris, in Mr. Sigelbaum's office.

The Chicago indictment of my clients and all the defendants specifically refers to the same Sun Valley transactions which were discussed by me with my clients and others in Mr. Sigelbaum's office and on Mr. Sigelbaum's telephone. Some of the allegations in the indictment returned by the grand jury in Chicago contained a substance of telephonic conversations between Mr. Dranow, Mr. Burris, my clients and myself.

Jacques M. Schiffer
JACQUES M. SCHIFFER

CITY OF WASHINGTON
DISTRICT OF COLUMBIA } ss.

Subscribed and sworn to before me, a Notary Public in and for the District of Columbia, this 19th day of January, 1967.

Ann L. Sprague,
ANN L. SPRAGUE,
Notary Public, D. C.

My commission expires June 30, 1970.

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**Petitioner's Exhibit 5**

AFFIDAVIT

CITY OF WASHINGTON
DISTRICT OF COLUMBIA } ss.

I, Frank Ragano, after first being sworn on oath, state as follows:

1. I have been a member of the bar of the Supreme Court of the State of Florida for 15 years and a member of the bar of the Supreme Court of the United States.

2. I was attorney for Benjamin Dranow, a co-defendant of James R. Hoffa, in the case of *United States* v. *James R. Hoffa, et al*, Criminal No. 63-CR-617, which was tried during the period of April 27, 1964 to July 24, 1964, in the United States District Court for the Northern District of Illinois, Eastern Division.

3. While the case of *United States* v. *James R. Hoffa, et al,* in the United States District Court for the Eastern District of Tennessee, Southern Division, Criminal No. 11989, was being tried, I spent several weeks in Chattanooga, Tennessee preparing for the Chicago trial which was to commence immediately after the termination of the Chattanooga proceedings. While in Chattanooga, I was registered for a good part of my stay there in Room 902 and I also occupied Rooms 830 and 714 of the Patten Hotel.

4. I had been summoned by telephone to Chattanooga by William E. Bufalino, one of Mr. Hoffa's attorneys, who asked me to come to Chattanooga so that we could discuss our plans and the legal problems in the Chicago prosecution.

5. In attendance at these conferences were James E. Haggerty, Sr., Mr. Hoffa's chief trial attorney; Mr. Bufalino; Jacques Schiffer, attorney for Abe I Weinblatt, a co-defendant of Mr. Hoffa's in the Chicago prosecution; and James R. Hoffa.

6. Conferences referring to the defense of the Chicago charges were held mainly in Rooms 906, 908, and 912 of the Patten Hotel, in Chattanooga. These meetings took place mostly in the evening. There were many meetings attended by Mr. Hoffa's attorneys, as well as the attorneys for co-defendants in the then pending Chicago case.

7. These conferences centered about trial tactics and strategy, and discussions of legal problems, the testimony expected from the various defendants, and other prospective witnesses for the defense. Many of the conferences were held in Room 908, a suite where the living room had been set up as a conference room. Other discussions were in Room 906 which had been set up as an office. I had many conferences with Mr. Bufalino and Mr. Schiffer in Room 906, of the same general nature as the conferences held in Rooms 908 and 912.

8. I also used the telephones in Rooms 906, 908 and 912 for the purpose of discussing with various persons many problems connected with the Chicago prosecution.

9. While I was away from Chattanooga and in Tampa, Florida, I received telephone calls from Mr. Bufalino who was in Chattanooga, in which we discussed the Chicago prosecution.

10. From June 15, 1962 to the end of the year 1962 and during the year 1963, I was associate counsel in the defense of Mr. Hoffa in a case, *United States* v. *James R. Hoffa, et al,* Criminal No. 1282-61, United States District Court for the Southern District of Florida, Orlando Division. This was known as the original prosecution in the so-called Sun Valley case. I had many telephone conversations with Mr. Bufalino who talked with me from his home, telephone number Tuxedo 1-6859, and from his office, Woodward 1-2380, both telephones being situated in Detroit, Michigan. In these telephone conversations, we consulted at length regarding our plans and strategy in connection with the Sun Valley defense. The Orlando indictment was nolle prossed by the Government on June 4, 1963. On that date the Chicago indictment was returned against Mr. Hoffa and his co-defendants which indictment embodied substantially all of the elements charged in the original Orlando indictment.

Frank Ragano
FRANK RAGANO

CITY OF WASHINGTON }
DISTRICT OF COLUMBIA } ss.

Subscribed and sworn to before me, a Notary Public in and for the District of Columbia, this 17th day of January, 1967.

ANN L. SPRAGUE
Notary Public, D. C.

My commission expires June 30, 1970.

**Petitioner's Exhibit 7**

AFFIDAVIT

I, Irving Davidson, of 2919 Ellicott Street, N. W., Washington, D. C., state as follows:

1. That I am a citizen of the United States and a resident of the District of Columbia, aged 46.

2. For the past sixteen years I have been personally acquainted with Mr. John Hooker, of Nashville, Tennessee, who was Special Assistant to the Attorney General of the United States in charge of the prosecution of Mr. Hoffa in Chattanooga, Tennessee, in February, 1964. The indictment in that case charged Mr. Hoffa with jury tampering in connection with an earlier trial of Mr. Hoffa in Nashville, Tennessee in late 1962.

3. My relationship with Mr. Hooker for the first 15 years of our acquaintanceship was of an essentially social nature. Commencing in 1963, Mr. Hooker and I had numerous social and business engagements.

4. I have known Mr. Hoffa since 1959.

5. While the Hoffa case was in trial in Chattanooga, about the middle of February, 1964, I had occasion to go there. Before my departure I called Mr. Hooker to advise him I was coming to Chattanooga on a business trip; that I intended to visit Mr. Hoffa; and while there I also hoped to visit Mr. and Mrs. Hooker.

6. Mr. Hooker told me that he would like very much to see me and hear from me during my visit but he warned me not to call him on the telephone at the Read House where he was staying. He told me that all the public telephones in the area of the hotels and court house were tapped, that all rooms and telephones in the Patten Hotel where Mr. Hoffa and his attorneys were staying were bugged, and that the Read House where Hooker was staying was tapped. He also advised me that if I could pos-

sibly avoid coming to Chattanooga I should do so because everybody visiting Mr. Hoffa or his hotel was under strict surveillance. Mr. Hooker said it could result in my being called before another Grand Jury and that he would not be able to help me this time. (I had visited Nashville, Tennessee, during the Test Fleet trial of Mr. Hoffa in 1962 and I subsequently was subpoenaed to appear before the Grand Jury which indicted Mr. Hoffa. However, I submitted an affidavit to Mr. Hooker and Mr. Walter Sheridan, then a special assistant to the Attorney General, in which I explained my presence in Nashville in 1962 and they advised me that I would not be required to appear before the Grand Jury).

8. Because of Mr. Hooker's instructions to me I did not call him or visit him while I was in Chattanooga. After I talked with Mr. Hooker I immediately called Mr. Turner Smith, my Washington attorney, who has been associated with Mr. Hooker in some legal cases and I related to him the conversation I had had with Mr. Hooker. Mr. Smith told me I could go to Chattanooga to take care of my business if I wished so to do, regardless of Mr. Hooker's instructions.

9. Soon after Mr. Hoffa's trial ended in March of 1964 Mr. Hooker and his wife were dinner guests at my home on one occasion. Present were Mrs. Hooker, Mr. Hooker, my wife Charlotte Davidson, and my daughter. In the course of the evening Mr. Hooker told me that he was sorry he ever agreed to take the Hoffa prosecution. He said that he did not approve of the way the evidence was gathered against Mr. Hoffa, stating that he did not believe in wiretapping, bugging, or violating people's rights; that it went against his grain.

10. On the occasion of the dinner at my home Mrs. Hooker in the presence of Mr. Hooker, said they wished that I would have no further communication on the telephone with Mr. Hoffa because everything that Mr. Hoffa said on the telephone was bugged and that the Government

has a record of everything that I and Mr. Hoffa talked about. Mrs. Hooker said that they were telling us this because they did not want to see me in any trouble; as she was sure I would wind up in jail if I remained friendly with Mr. Hoffa.

11. On November 14, 1966 I went to Nashville to visit with Mr. Hooker to discuss pending negotiations with a group of business persons in Nashville including Mrs. Hooker, who was to be a partner in a business venture.

12. After having dinner at an Italian restaurant in Nashville Mr. Hooker drove me back to the Heritage Hotel. On the way Mr. Hooker pointed out to me some telephone booths from which he said telephone calls had been made by some of the defendants in the jury tampering case. Mr. Hooker told me that Mr. Hoffa and all of his attorneys and friends were very foolish in Nashville because all of the telephones in the Jackson Hotel where they were staying and the surrounding business areas were bugged and monitored by Walter Sheridan's group in the Justice Department.

13. Mr. Hooker also said every room occupied by Mr. Hoffa and his attorneys was bugged; and that nothing went on in the hotel without Sheridan knowing about it, including what they had to eat for their meals. Mr. Hooker also stated that I appeared very well on movie film; that every place that Mr. Hoffa and his attorneys walked were pictured by hidden cameras; and that they had a complete film of my visit to Nashville. He said that the Hoffa people could not make a move while they were in Nashville and Chattanooga without Walter Sheridan's investigators knowing about it.

14. I first made the disclosure of the foregoing facts to one of Mr. Hoffa's attorneys on the 21st day of December, 1966. That attorney asked me to verify dates through my various records and I appeared before him on December 22, 1966 and exhibited to him records confirming my presence in the places and times stated above.

15. This affidavit is made by me without having received any promises, inducements, or hope of reward; and is given freely and voluntarily by me.

I. Irving Davidson
I. IRVING DAVIDSON

Subscribed and sworn to before me this 22nd day of December, 1966.

ANN L. SPRAGUE
Notary Public, D. C.

My commission expires June 30, 1970.

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**Petitioner's Exhibit 8**

AFFIDAVIT

STATE OF NEVADA }
COUNTY OF WASHOE } ss.

I, William Loeb, being first duly sworn, depose and say:

1. My name is William Loeb. I live at 1750 Skyline Boulevard, Reno, Nevada.

2. I am a newspaper publisher, being the owner of the Manchester Union-Leader, a daily newspaper published in New Hampshire, and several other New England newspapers.

3. On Tuesday, December 20, 1966, I met with Mr. Cartha D. DeLoch, Assistant Chief of the Federal Bureau of Investigation, with whom I have been in communication by by mail and telephone over a period of many years.

4. Mr. DeLoch stated to me that during his tenure Attorney General Robert F. Kennedy had a special unit of three individuals mainly responsible for wire tapping. He said that the unit was headed by a Mr. Walter J. Sheridan, Special Assistant for Mr. Kennedy, and that the actual wire tapping was done by a man named Eddie Jones. Mr. De-

Loch stated that Jones had been placed on the payroll of the Immigration and Naturalization Service through the efforts of the Attorney General. He said Jones was still employed in that Service. He said the third member of the group responsible for the wire tapping was a Mr. Carmine Bellino. He further stated that Attorney General Kennedy had instructed the Internal Revenue Service to tap wires.

5. Mr. DeLoch, in discussing the James R. Hoffa case, suggested to me that I suggest to the Hoffa lawyers that their best move would be to ask the Department of Justice to conduct an investigation of wire tapping in connection with the various Hoffa trials. He said that if such an investigation were conducted he was sure that it would turn up extensive evidence of wire tapping in connection with the trials of Mr. Hoffa.

6. On December 21, 1966, I telephoned Mr. DeLoch from Beverly Farms, Massachusetts, and I told him that what he had told me was so startling and so newsworthy it should be made public. Mr. DeLoch replied that he was willing to assist me by giving me information on this matter on a personal and confidential basis and if I attempted to publicize this information he would deny that he had ever talked to me about the matter.

7. While I appreciate Mr. DeLoch's desires in this matter, I feel that the national interest in bringing a stop to wire tapping requires that I give this affidavit.

William Loeb
WILLIAM LOEB

Subscribed and sworn to before me this 13th day of January, 1967.

Dorothy S. Pennock
Notary Public

Dorothy S. Pennock, Notary Public, State of Nevada, Washoe County.

My Commission Expires Sept. 21, 1967.

**Petitioner's Exhibit 9**

AFFIDAVIT

I, Herman A. Frazier, a citizen of the United States, and a resident of Huntington, West Virginia, state as follows:

1. I am 48 years of age, a retired Chief of Detectives of the Huntington, West Virginia Police Department, having served on that Department for 24 years.

2. I am a graduate of the Homicide School of the University of Cincinnati, Delinquency Control Institute of the University of Southern California, and during the years I have taught police work in various police departments in the State of West Virginia. I am presently employed as General Manager of the Jewel City Rambler Company, Huntington, West Virginia.

3. During the years 1947 to 1956 I was chairman of the Board of Trustees of the Fraternal Order of Police, an organization in excess of 60,000 full-time police officers. I was Vice-president of that organization from 1961 to 1965.

4. I would like to make one point and have it distinctly understood before I proceed with this statement. This statement is my own idea. No person or persons solicited it nor was it suggested in any manner by any person or persons. I believe its contents and my remarks throughout will explain my decision to make this statement.

5. It is December 29, 1966. I am sitting in an office in the Teamster Building in Washington, D.C. I have just come from another room where I was questioned, interviewed, interrogated and extensively cross-examined by a group of attorneys. After I told my story I was asked by an attorney named Maher if I wished to make a statement. I said, yes, I do. I asked to be given an office where I could write my own statement and this is what I have to say.

6. I have had this information for some time and have thought several times that I would make it public. I haven't done so because I did not wish to involve myself with Jimmie Hoffa. Through no fault of my own, I have been subjected to great embarrassment and public ridicule over a series of events that occurred in 1963 when Nelson Paden, A. P. Cole and I were indicted for attempted jury tampering in the Hoffa case in Nashville, Tennessee. I appeared before a Federal Grand Jury in Nashville and gave a complete and full explanation of my presence in Nashville on the occasions which were being investigated. It would require many pages to tell all the harrassment, pressure and embarrassment we suffered at the hands of some members of the United States Justice Department. I will attempt to stick to pertinent facts with occasional remarks to describe my position and my decision to make this statement.

7. From January, 1963 to May 21, 1963, and thereafter, I was questioned by several Justice Department attorneys and FBI agents, although the majority of my interviews were with a man named Walter Sheridan. This man identified himself as being an assistant to Attorney General Robert Kennedy. I expressed my admiration for President Kennedy and how my family and I had helped him win the primary in West Virginia.

8. Mr. Sheridan told me he had an open line to Washington to the Attorney General and how Robert Kennedy was depending on me as a police officer to help convict Jimmie Hoffa and his associates. I told him he had no fear of me not telling the truth and that I would give a true and exact story to the Grand Jury.

9. I am making this statement for two reasons that occurred recently and for a number of reasons that have occurred during and since 1963. The recent events are, Number 1, I read and heard that this same Walter Sheridan, who is now an NBC reporter, was in some difficulty for

refusing to give testimony to a Grand Jury somewhere in the eastern part of the nation. Number 2, I also read in the paper last week that James Hoffa had only 38 days to file an appeal or he was going to go to jail. I had thought several times, and almost did on more than one occasion, tell Mr. Hoffa what I knew about his phones being tapped.

10. I contacted A. P. Cole and Captain Nelson Paden and told them of my decision. They both advised me to go ahead and they would back me all the way.

11. I sent two telegrams. One to William Bufalino and one to James Hoffa informing them that I had information with reference to their desire to obtain information about wiretapping. Mr. Bufalino phoned me and asked if I could come to Washington. As a result of those telegrams and the phone call, I am here today.

12. I was interviewed many times by Mr. Sheridan in different rooms in the Federal Building in Nashville and received several phone calls from him. I was subpoenaed several times to Nashville and made several trips, along with Cole and Paden at Mr. Sheridan's request.

13. At one such interview before my indictment Mr. Sheridan asked me several questions subject of which he could only have known by listening to my phone conversations. I told him he was tapping my phone and he would not deny nor admit it.

14. Nelson Paden and I decided to lay a trap by phone to prove to Mr. Sheridan that we knew he was tapping our phones. We decided on a name few people have and that we would discuss that name when we called each other. We used the name "Armentrout" and indicated that he was connected with our being in Nashville. Apparently Mr. Sheridan couldn't contain himself and he asked me who Armentrout was and why we hadn't told him of Armentrout. I then accused him of tapping my phone. I told him that Armentrout didn't exist and that he had fallen into our trap. He did not deny the accusation.

15. Sheridan's questioning was almost exclusively about Nicholas J. Tweel and Allen Dorfman. I have known Nick Tweel and his family since school days. At one time before World War II he and I worked at the Huntington Post Office. In October, 1962 I was in the lobby of the Andrew Jackson Hotel in Nashville. It was early evening. I thought I saw Nick going out the hotel door. By the time I got to the door he was gone. I inquired at the desk if he was registered and he was. I left a message at the desk for him to call me at my hotel.

16. We didn't make contact that night but the next morning I was again in the lobby of the Andrew Jackson. Nick Tweel was also in the lobby. We decided to have breakfast together. We went in the hotel restaurant. While we were eating, James Hoffa and several other men came in the same room for breakfast. One of the men with Hoffa came to our table and Nick introduced him as Allen Dorfman.

17. I asked Sheridan why he continued to question me about Tweel and Dorfman and told him I thought Hoffa was the man that they were really after.

18. Sheridan was convinced Tweel and Dorfman were responsible for our being in Nashville. He made what I believe is the following exact quote, "Captain, I know you have had long experience in investigations and I know you realize what an investigator can do and develop by taking bits of information and developing them."

19. He opened a brief case containing a tape recorder and said, "If I convince you I know what I'm talking about, will you tell me the truth?" and I said "Show me what you've got." He said, "This will show you why I am asking you about Tweel and Dorfman." Sheridan turned on the tape recorder. Two men were talking. One was Hoffa's voice. Sheridan said it was Hoffa and that the other was an attorney. He didn't name him. Hoffa was asking this man who the hell Frazier, Paden and Cole were and who the hell brought them to Nashville in the first place.

The other man said he didn't know who they were. Hoffa asked if Bufalino knew who they were. The other voice said he didn't know. They talked about one man whose name I will never forget. The name was "Drano." I thought this was some kind of a joke between them. I have never heard the name. Paden, Cole and I discussed the name later and we laughed and joked that the Teamsters had their own commode cleaner. I didn't hear the beginning of this call but I did hear what appeared to be a receiver being placed on the cradle.

20. Sheridan then played a tape of another conversation. I could hear a noise like a phone ringing and a voice said "Hello." Hoffa's voice said "Bufalino, do you know who the hell Frazier, Paden and Cole are and how the hell they got involved in this case." Bufalino said "Jimmie, I really don't know. I do know Nick Tweel knows them." Hoffa then asked if Allen Dorfman knew Frazier, Paden and Cole. Bufalino said he understood Allen had met Frazier. Hoffa then said "Tweel is also from Huntington, isn't he." Bufalino said "Yes." Hoffa asked what Dorfman's connections were with Tweel and Bufalino explained that Tweel was trying to organize an insurance company and had come to Nashville to see Dorfman about that. Hoffa asked Bufalino if we (Frazier, Paden and Cole) should be contacted for statements and could we be of any value as witnesses. They decided to discuss it with Tommy Osborn. The phone clicked, the conversation stopped. Sheridan said at the end of the tape they were the voices of James Hoffa and William Bufalino.

21. Sheridan then played another tape that began by a sound like a phone ringing. Then a receiver sound and a female voice saying three names, I don't remember the first two, but the third one was Osborn. Mr. Hoffa's voice then said, "Mr. Hoffa, put Tommy on the phone." A man answered and Hoffa asked "Tommy, do you know those men from Huntington, West Virginia." Osborn said he had met them. Hoffa asked if Tweel and Dorfman knew

them. Osborn said yes, he understood they did. Hoffa asked if Osborn thought we should be contacted for statements. Osborn said he saw no reason for us to be interviewed and that he knew of no way we could hurt or help them. They discussed other legal problems and then the conversation ended by Hoffa saying, "Our troubles are big enough now without taking on someone else's troubles." Osborn agreed.

22. I was able to recognize the voices of Mr. Hoffa, Mr. Osborn and Bufalino because I have heard Mr. Hoffa several times on television and I have personally talked with Mr. Osborn and Bufalino on one of my visits to Nashville during the Grand Jury investigation.

23. There was only one other occasion that Sheridan played a tape. This time Cole and Paden were with me. I think he thought he had us at the point of agreeing to tell him the story he wanted to hear. Paden and I had agreed to use our many years experience as interrogators and we were playing Sheridan at his own game. Sheridan was trying to convince us that we were on our own and could expect no help from Hoffa, Tweel, Dorfman or anyone else and that he (Sheridan) was the only person who could help us.

24. He played a tape for all of us. This was not a telephone conversation. It sounded like a conference or a group of men talking. He would play a part of the tape and then he would skip to another section. Each part he played for us was the group talking about us I mean, Frazier, Cole and Paden. One had Hoffa's voice saying Tweel and Dorfman had denied any connection with us and that they (Tweel and Dorfman) weren't going to involve themselves with us. Hoffa also said "Bufalino could vouch for him." He mentioned another name (I can't recall who but it was a Jewish name) who had spent every minute with him. Hoffa also said "I will use all of you damn attorneys as witnesses."

25. I don't remember all of this tape but I did recognize the voices of Hoffa, Bufalino and Osborn. There was one voice with such an accent that I couldn't understand what it was saying.

26. We thanked Mr. Sheridan for revealing his tactics to us. He asked that we not reveal his playing tapes for us. We agreed and this is the very first time that I have told about it. I actually saw no use to discuss the tapes because we were confident that we would be found not guilty. We were acquitted but not until after continued harassment and interrogation. We were indicted May 21, 1963, and went to trial in September, 1964. This case was declared a mistrial. We were acquitted in January, 1965. We were represented by court-appointed attorneys. We were kept under constant pressure and harassment from the beginning to the acquittal.

27. During one session in Nashville I took a lie detector test. I allowed myself to be tested for almost ten hours. Not once did the FBI agent who conducted the test tell me that I was telling other than the truth. I am willing to take another lie detector test at any time.

Herman A. Frazier
HERMAN A. FRAZIER

Subscribed and sworn to before me
this 30th day of December, 1966

My commission expires December 15, 1968
Milton Randolph Cherry
Notary Public

**Petitioner's Exhibit 10**

AFFIDAVIT

1. My name is Alfred Nelson Paden. I am forty-two years of age. I am Captain of Police, Huntington, West Virginia. I have been a police officer for fifteen years.

2. I have attended many police schools. I am a graduate of the Federal Bureau of Investigation Academy. I am head of the Staff and Services Bureau in my Police Department.

3. In January, 1963 I was subpoenaed before a grand jury in Nashville. I was interviewed on many occasions by men who identified themselves as F.B.I. agents, Government Attorneys and one person who identified himself as Walter Sheridan. He said he was an F.B.I. agent.

4. On May 21, 1963, I was indicted on a charge of jury tampering. I was acquitted of this charge by a jury in Federal Court. Prior to the indictment, Mr. Sheridan summoned me to an office in the Federal Building in Nashville. Mr. Sheridan told me that I, Captain Frazier and Albert P. Cole were only "peasants" in the investigation; that we were going to be indicted unless we changed our story that I had been in Nashville in October, 1962 on perfectly legitimate business.

5. Sheridan told me he wanted me to listen to something, as he was trying to convince me that they had plenty of evidence in the case. He had an attache case on the table. He opened the case, mentioned that he was familiar with my reputation in the electronics field. He then played a segment of one tape. He asked me if I recognized the voices on the tape. I told him I thought one was that of Mr. Hoffa. I had heard Mr. Hoffa speak on various T.V. and Radio newscasts. Sheridan agreed. I did not recognize the other voice. I asked Sheridan who the other voice was. Sheridan said his name was Haggerty. I believe he said he was a lawyer. The conversation was about Frazier, Cole and

myself. Mr. Hoffa was asking who we were and why we had been in Nashville. The other male voice said he didn't know—That he had never heard of us. There was further conversation, but I don't recall the details.

6. I have extensive knowledge in electronics and wiretapping and I have done research and development in the wiretapping field. I have listened to hundreds of recordings of telephone conversations. On the basis of my experience, I have no hesitancy in saying that the recording played by Mr. Sheridan was that of a recorded phone conversation. Mr. Sheridan removed the tape from the machine and installed another reel of several inches in diameter. While he was doing this he was remarking that Nick Tweel had been responsible for us going to Nashville.

7. The first sound on the tape I recognized as the recordation of a telephone line being rung. A lady answered the phone, giving a company name which I do not remember. I recognized a voice as that of Mr. Hoffa, the same voice I had heard on the first tape. Another male voice talked. I asked Sheridan whose voice it was and he said it was a man named Bufalino. The conversation was about Frazier, Paden and Cole and who had gotten us into it. Mr. Hoffa asked if Tweel or Dorfman had anything to do with it. The voice told Mr. Hoffa that he didn't believe they were in any way involved with us.

8. The foregoing recording was, in my opinion, a transcription of a telephone conversation.

9. On another occasion, Sheridan called me and wanted me, Frazier and Cole to come to Nashville. This was after we were indicted. We drove down and met with Sheridan at the Federal Building in Nashville. He again, as he had done on several occasions, indicated that we were only "peasants" in the Hoffa case. He said it was still not too late to change our story and get the indictment dropped. He indicated to us that Tweel and Dorfman were responsible for bringing us to Nashville in the first place.

10. He said: "Let me show you something". At this time, he opened up the same tape recorder and started to play a tape. This was a recording which I recognized as being typical of a recording made in a room with several people. I recognized Mr. Hoffa's voice talking to a group of people. He was asking them about the three of us, myself, Frazier and Cole. The several voices said they didn't know who had brought us to Nashville. Mr. Hoffa seemed perturbed and queried several of the people present.

11. Mr. Sheridan then ran the tape on 'fast, forward' over to a point which was marked with slips of paper. There were two or three places marked on the reel. I didn't recognize any of the voices, but one voice stood out—one with an accent which was hardly understandable. It sounded foreign, or maybe just not a good recording. At one point in the conversation Mr. Hoffa told the people present that they were all going to be witnesses for him. He also said that he knew nothing about us and we could go to hell or something similar.

12. Mr. Sheridan said: "See, you don't mean a thing to these people. Your only chance is to change your story and involve Tweel and Dorfman."

13. During the early investigation of this case, I told Frazier that I was familiar with the way the Government worked on major cases and that they probably had our phones tapped. At a secluded place, we pre-arranged to discuss a ficticious name on our phones from time to time to verify this. The name we decided on, and this name was a figment of my own imagination, was "Armentrout". We never mentioned this name again except on the telephone and only to each other. I was later questioned by Sheridan as to the role a man by the name of "Armentrout" played in the case. I advised Sheridan that this person was a product of my imagination, created for the sole purpose of proving that our phones were tapped.

14. I have given the foregoing statement voluntarily of my own free will without any threats or promises and in the interest of legal justice.

ALFRED NELSON PADEN
Alfred Nelson Paden

Subscribed and sworn to before me this December 30th, 1966.

Expires 12-15-68
Milton Randolph Cherry
Notary Public

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**Petitioner's Exhibit 11**

AFFIDAVIT

1. My name is Albert P. Cole. I am thirty-six years old, a citizen of the United States, residing at 3441 Blackburn Avenue, Ashland, Kentucky. I am employed by the Allied Chemical Corporation. Prior to this year, I did partial private investigating for the Huntington Research Bureau in Huntington, West Virginia, which did investigative work for commercial and industrial plants.

2. I was Personnel Director for the city of Huntington from October, 1959 to October, 1963.

3. From January, 1963 to May 21, 1963, I was the subject of an investigation by the Federal Grand Jury in Nashville, Tennessee. During that investigation, I was interviewed by many F.B.I. men, United States Attorneys and Special Assistants to the Attorney General. I made at least a dozen trips from Huntington, West Virginia, to Nashville, Tennessee to be interviewed. An indictment was returned against me on May 21, 1963, charging me with attempted jury tampering and perjury, along with Herman Frazier and Nelson Paden. We were acquitted of these charges by a jury.

4. I was interviewed many times by one Walter Sheridan. He made it known to me that he was Bobby Kennedy's right hand man.

5. Some time after the indictment of May 21st, 1963, possibly the last of May or the first of June, Herman Frazier phoned me and said that we might make another trip to Nashville. He said that Walter Sheridan had called Nelson Paden and said he wanted to interview us. We were not under subpoena. We drove to Nashville. We went to the Federal Building and we were told to be seated in the library—That Mr. Sheridan would be located and sent to us. Within a short time, he came in and greeted us as if we were old friends, and some small talk exchanged. And then, as he had done so many times in the past, he pointed out that the three of us were in serious trouble. He told us that Hoffa and his organization had turned their backs on us and we could expect no help from them and that he was our only salvation, and that he was the only person who could help us now. So, one of the fellows, Paden or Frazier, I believe it was Frazier asked him what he meant by that remark that Hoffa had turned his back on us. Sheridan said I'm going to do something I've never done before. He said I'll prove to you boys that I'm telling you right.

6. So, he left the room and he came back carrying an attache case in which was a tape recorder. It had a large reel on it. He played to us at least three portions of the tape. I cannot separate in my own mind what was said as the different portions of the tape were played. In every part that was played, the persons were talking about me, Frazier and Paden. Then, after Sheridan had played the part that related to us, some one on the tape would say—"Let's go on to". Sheridan would shut off the sound and switch to another portion of the tape. I do not know whether the tape carried only one conference or many. Sheridan told us that he had the whole Hoffa group covered from stem to stern. At one point on the tape, he

stopped it. It sounded like a group of men talking—Everyone talking at the same time. Then I could distinguish some one, some man saying—"What about Frazier and these other two guys from Huntington. Who knows them? Who is responsible for them being here?" Something was said then about Tweel and Dorfman. Then this voice said—"Tommy, what's your opinion?" I recognized Tommy Osborn's voice. Tommy said that Tweel had said they knew nothing about us being in Nashville. We got into this mess ourselves, and we could get out of it the best way we can. Now, that was one part of the reel. Sheridan stopped it then. He speeded it up and stopped it at another section where a very similar type of conversation existed. Some one said "Tommy, what's your recommendation in regard to Frazier, Paden and Cole?" Osborn said that he had talked with Allan Dorfman and Mr. Tweel and that both of them had said that they had not hired—that they hadn't brought us to Nashville. Osborn suggested that "we let these boys work it out themselves." That's, in essence, what Mr. Osborn said.

7. In one of the portions of the tape, some one was saying that Dorfman and Nick Tweel were being blamed for our presence there. Those two names came up on the tape. Then Tommy Osborn said that Tweel and Dorfman told him that they were not responsible for our being there. I also recognized the voice of Mr. Bufalino.

8. I had met Mr. Osborn for the first time in early 1963 when I was in Nashville under my first subpoena to appear before the Grand Jury. I asked him whether I should have an attorney, and he advised me that I should have. He said he didn't want to represent me, due to the fact that he was representing Mr. Hoffa.

9. On one of the tapes, some one asked if we would be of any value as witnesses. Some one said: "Have we got any statements from these guys." Some one said they

had not gotten any statements and they were not needed. Another voice said he had his lawyers as witnesses. Sheridan knew exactly where to stop the tape to bring out that portion which concerned the three of us.

10. I recognized Mr. Bufalino's voice, because I had met him in Nashville on several occasions in early 1963.

10.B On the play back, there were three voices that were actually clear. With the other background noise—There were still other men talking which indicated to me that there must have been at least five, six or maybe seven men. On one of the portions of the tape I head the sound of a telephone bell ringing.

11. Afterward, Sheridan said, in substance—Here you are, the three of you, from Huntington, West Virginia. You have no business down here. You got yourselves involved in this mess—You're going to be ruined. He told Frazier and Paden that, as police officers, they would be fired—Their reputations ruined, and so forth. That we were out in the cold all by ourselves. He said Hoffa wanted no part of us. He had played us the tape to convince us that he was telling the truth—that Hoffa didn't want any part of us.

12. Frazier asked Sheridan who the people on the tape were. Sheridan said: "These are the big boys—These are Hoffa and his attorneys, sitting there discussing you fellows. And, you can see now that Tweel and Dorfman have abandoned you. You are getting nothing from them—the Hoffa organization—you boys are on your own. I'm the only person that can possibly help you." Sheridan said he played the tapes to convince us that he was telling the truth that these men were not going to help us—"You can't depend on them any of them down there." He asked us not to disclose the fact that he played the tape. I said nothing. Frazier told him that he wouldn't give him away.

13. I have made this statement voluntarily and without having received or been promised anything of value for so doing.

Albert P. Cole
ALBERT P. COLE

Subscribed and sworn to
before me this 30th
December, 1966

My commission expires December 15, 1968
Milton Randolph Cherry
Notary Public

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**Petitioner's Exhibit 12**

AFFIDAVIT

CITY OF WASHINGTON }
DISTRICT OF COLUMBIA } ss.

I, James R. Hoffa, being first duly sworn on oath, state as follows:

1. I was a co-defendant in the case of United States v. James R. Hoffa, et al, in the District Court of the United States for the Eastern District of Tennessee, Southern Division (Cr. No. 11,989).

2. The grand jury which returned the indictment on May 9, 1963, had been in session from January, 1963. In the course of its investigation, I was advised that three persons from Huntington, West Virginia had appeared before the grand jury.

3. I telephoned to my chief trial attorney, James E. Haggerty, Sr. of Detroit, Michigan, now deceased. I inquired whether he knew anything of the three men named, Herman Frazier, A. P. Cole and Alfred N. Paden. He told me he knew nothing of them.

3. I then telephoned another of my attorneys, William E. Bufalino who suggested they might be known to Nicholas

Tweel of Huntington, West Virginia, or Allen Dorfman who were named as co-defendants and were subsequently acquitted.

4. I also telephoned to Mr. Z. Thomas Osborn, who was then my local counsel in Nashville, Tennessee, who advised me that so far as he knew there was no connection between Frazier, Cole and Paden, and any of my associates, or me.

5. Before the indictment was returned against me, the subject of interviewing these men was discussed by me and my attorneys. These were both telephone and personal conversations.

6. After the indictment, my attorneys and I, on one or more occasions, discussed whether Frazier, Cole and Paden should be called as witnesses on my behalf, and we decided that they would be of no help in my defense.

James R. Hoffa
JAMES R. HOFFA

CITY OF WASHINGTON
DISTRICT OF COLUMBIA } ss.

Subscribed and sworn to before me, a Notary Public in and for the District of Columbia, this 19th day of January, 1967.

Ann L. Sprague
ANN L. SPRAGUE, Notary Public, D. C.

My commission expires June 30, 1970.

**Petitioner's Exhibit 13**

AFFIDAVIT

CITY OF WASHINGTON
DISTRICT OF COLUMBIA } ss.

I, the undersigned, William E. Bufalino, a citizen of the United States and a resident of Grosse Pointe Shores, Michigan, a member of the bar of the Supreme Court of the Commonwealth of Pennsylvania, and of the bar of the Supreme Court of the United States, state as follows:

1. I have been associate counsel for James R. Hoffa in numerous prosecutions brought against him by the United States Government in Orlando, Florida; New York City, New York; Chicago, Illinois; Nashville and Chattanooga, Tennessee; and in Washington, D. C.

2. Sometime in the period between January, 1963 and May 9, 1963, newspapers printed articles that Alfred Nelson Paden, A. P. Cole and Captain Herman Frazier of Huntington, West Virginia, had been subpoenaed before the grand jury which was investigating alleged obstruction of justice, in the Nashville trial of Mr. Hoffa.

3. Upon publication of these articles, I received a telephone call from Mr. Hoffa. He asked me whether I knew Frazier, Cole or Paden, and whether they were in any way involved in the Test Fleet case. I told him I did not know exactly what their relationship was. I said I did know that Nick Tweel, who was a co-defendant of Mr. Hoffa in this case and who was acquitted, was from Huntington, West Virginia, and that he might know them. I explained to Mr. Hoffa that I understood that Allen Dorfman knew Mr. Tweel and he might possibly be able to give us some information about these individuals. Mr. Hoffa inquired whether I should go to Huntington to take their affidavits. I explained to Mr. Hoffa that there would be no need to take their affidavits. We then concluded, so far as I

know that we would talk with Z. Thomas Osborn, local counsel for Mr. Hoffa, and then decide what should be done.

4. This same subject matter was discussed at conferences of lawyers and Mr. Hoffa on a few occasions. On at least one occasion, Mr. Hoffa asked the attorneys whether Frazier, Paden and Cole should be interviewed and used as witnesses. Mr. Osborn sugested that they not be interviewed and that we should not become involved in their problems. Mr. Hoffa stated in several conferences that he intended to use some of his lawyers as witnesses in the Chatttanooga trial.

The subject of subpoenaing these three persons as witnesses or at least interviewing them, was discussed on several occasions during 1963 in telephone conversations between me and Mr. Hoffa and other attorneys.

William E. Bufalino
WILLIAM E. BUFALINO

CITY OF WASHINGTON }
DISTRICT OF COLUMBIA } ss.

Subscribed and sworn to before me, a Notary Public in and for the District of Columbia, this 19th day of January, 1967.

Ann L. Sprague
ANN L. SPRAGUE, Notary Public, D. C.

My commission expires June 30, 1970.

**Petitioner's Exhibit 14**

AFFIDAVIT

CITY OF WASHINGTON }
DISTRICT OF COLUMBIA } ss.

Z. T. Osborn, Jr., being first duly sworn, deposes and says as follows:

1. That he is a citizen of the United States and a resident of Nashville, Tennessee.

2. From early 1962 to November, 1963, he was local counsel for James R. Hoffa in the case of United States v. James R. Hoffa, et al., Crim. No. 3241, in the United States District Court for the Middle District of Tennessee; and the case of United States v. James R. Hoffa, et al., Crim. No. 11989, which was tried in the United States District Court for the Eastern District of Tennessee, Southern Division at Chattanooga, Tennessee from January 20, 1964 to March 4, 1964. The latter charge was obstruction of justice.

3. The Grand Jury which returned the indictment against Mr. Hoffa on May 9, 1963 had been conducting an investigation of alleged jury tampering from early January, 1963.

4. As attorney for Mr. Hoffa, I interviewed many witnesses who appeared before the Grand Jury in order to determine the nature of the proof which might ultimately be offered against him. Among those I interviewed were Herman A. Frazier, Alfred N. Paden and Albert P. Cole. After their indictment, I also interviewed their attorneys.

5. I made it a practice to telephonically advise Mr. Hoffa and his other attorneys as to the results of interviews I had had with prospective witnesses. In connection with Frazier, Cole and Paden, I reported to them that these three persons, so far as I could learn, had no connection with Mr. Hoffa or any of his associates or attorneys.

6. After the indictment of Mr. Hoffa on May 9, 1963 and the indictment of Frazier, Cole and Paden on May 23, 1963, I worked in cooperation with their attorneys in developing information relating to claimed misconduct of the Grand Jurors and Government agents.

7. After Mr. Hoffa's indictment, I held many conferences with him and his other attorneys, during which Frazier, Paden and Cole were discussed. These conferences were usually wth Mr. Hoffa and his defense attorneys, James E. Haggerty, now deceased; William E. Bufalino, Jacob Kossman and two or three others.

8. The cases against every defendant were discussed as well as the possible effect of the Frazier, Cole and Paden indictments upon the charge against Mr. Hoffa. I expressed the view at these conferences that Frazier, Paden and Cole had gotten indicted because of their own activities; that the proof against them did not involve Mr. Hoffa; and that I did not think there was any reason why we should be concerned about them. I had previously expressed this view to Mr. Hoffa and the other attorneys in telephone conversations.

Z. T. Osborn, Jr.
Z. T. Osborn, Jr.

Subscribed and sworn to before me
this 16th day of January, 1967.

Ann L. Sprague
Notary Public

My Commission Expires June 30, 1970.

**Petitioner's Exhibit 15**

AFFIDAVIT

CITY OF WASHINGTON
DISTRICT OF COLUMBIA } ss.

I, William E. Bufalino, a citizen of the United States and a resident of Grosse Pointe Shores, Michigan, a member of the bar of the Supreme Court of the Commonwealth of Pennsylvania and of the Supreme Court of the United States, state as follows:

1. From March, 1957, to date I have been an associate counsel for James R. Hoffa in prosecutions brought against him by the United States in Florida, Tennessee, New York, Illinois and the District of Columbia.

2. In that capacity I acted as liaison counsel between Mr. Hoffa and his trial and local counsel, and between Mr. Hoffa's attorneys and the attorneys for his co-defendants.

3. Communications between the other attorneys and me were by mail, direct personal consultation, and by hundreds of phone calls from my home and my offices in Detroit, Michigan; Wilkes-Barre, Pennsylvania; and Washington, D. C.

4. From January 1, 1963 to December 31, 1964, and thereafter, I had numerous telephone conversations with Mr. Hoffa and the other attorneys. Many of these related to the case of *United States* v. *James R. Hoffa, et al,* United States District Court for the Eastern District of Tennessee, Southern Division, Crim. No. 11,989, which was tried in Chattanooga from January 20 to March 4, 1964, and which I shall hereinafter refer to as the Chattanooga case; and the case of *United States* v. *James R. Hoffa, et al,* United States District Court for the Northern District of Illinois, Eastern Division, No. 63 CR 617, which was tried in Chicago from April 27, 1964 to July 24, 1964, and which I shall hereinafter refer to as the Chicago case. These

telephone conversations related to legal problems of the defense, pretrial investigations made by me, including results of interviews by me of prospective witnesses and proposed trial strategy and tactics.

5. During this period, I had similar and repeated telephone conversations with Mr. Hoffa's local and trial counsel. In the conversations, I disclosed to counsel the substance of my conversations with Mr. Hoffa, and repeated to Mr. Hoffa the advice and instructions I had received from associate counsel.

6. In addition, and particularly during 1962, 1963 and 1964, I communicated frequently by telephone with counsel for co-defendants in the Chicago and Chattanooga cases, advising them of the defense plans of Mr. Hoffa and the results of my interviews with witnesses, and in turn learned from counsel for co-defendants their planned strategy and results of their investigations.

7. During the period from January 1, 1963, until December 31, 1963, much of my time was spent in field investigations and in consultation with attorneys in Tennessee and elsewhere. Many of my telephone conversations originated from places other than my home. I called my home telephone number daily when I was away from my home. I would leave with my wife messages for Mr. Hoffa and the attorneys informing them where I could be located and of the progress I was making in my investigations.

8. I spent most of my weekends from Fridays to Sundays at my home. From there, I would telephonically advise Mr. Hoffa, my co-counsel in his behalf, counsel for the co-defendants of the results of my investigations. I would receive advice from them as to defense plans and in turn I would discuss with them proposed trial strategy. In addition, on weekends I received many telephone calls at my home from co-counsel, the co-defendants and their counsel,

in which they communicated to me their advice and suggestions as to the defense of the cases, which I in turn would communicate by telephone to Mr. Hoffa.

9. All of these incoming and outgoing calls were transmitted on my telephone number, Tuxedo 1-6859. On June 10, 1965, I obtained positive proof that my telephone conversations were being intercepted. The interception was effected by an employee of the Michigan Bell Telephone Company at a point approximately one mile from my home.

10. On July 12, 1965, I commenced action against that company based on alleged invasion of privacy and breach of contract. On November 4, 1966, I was first able to obtain a sworn admission from a member of the police department of the City of Detroit that that department had a tap on telephone number Tuxedo 1-6859 in 1962 and 1963.

11. This admission occurred in the course of court proceedings in my suit against the telephone company, before Judge Thaddeus M. Machrowicz in the United States District Court, Detroit, Michigan.

12. On December 28, 1966, Officer Paul Quaglia executed an affidavit which is attached hereto marked Exhibit B, in which he admits that, as an officer of the Detroit Police Department, he was assigned to duties at 15415 Mack Avenue, Detroit, Michigan, where there were wire taps on a group of telephones, including mine; that it was his duty to monitor my phone calls and to replay them after the calls were finished; and type a memorandum relating to the contents of the call. He was under the supervision of Sergeant William DePugh of the Detroit Police Department (Ex. B, p. 1). At the listening post for the taps, which was several miles away from my residence, there were at least four tape recorders and four sets of earphones and there was also a pen register on the tap on my phone which was used to enable the tappers to know what numbers I

was calling. Officer Quaglia and other police officers operated the pen register tapes and transcriptions of my telephone conversations under the supervision and direction of Sergeant DePugh (Ex. B, pp. 1 and 2).

13. Officer Quaglia recalls the conversations with my wife (Ex. B, pp. 1 and 2) to which I have heretofore referred, and recalls one specific instance in which I talked with a lawyer regarding trial strategy (Ex. B, p. 2). Officer Quaglia also recalls telephone calls made by me on weekends, which he intercepted, in which I talked to other lawyers and had many conversations with them about legal matters. He recalls that I made calls to lawyers in Washington because from their conversations, he judged that the persons talking to me were attorneys (Ex. B, pp. 2 and 3).

14. Officer Quaglia also stated that to the best of his knowledge the local authorities had no interest in Mr. Bufalino, but that he was under the belief that these wire taps were for the Federal Government (Ex. B, p. 1).

15. Upon information and belief I state that a technique used by Federal agents to circumvent detection of their wire tapping and eavesdropping practices is to obtain the fruits of wire tapping and eavesdropping conducted by state and local police.

16. In the "Washington Post" of December 11, 1966, column 7, page A6, there appeared what purported to be a press release from the office of Senator Robert Kennedy in which his office acknowledged that he had listened to bugged conversations in the presence of FBI agents, but claimed he was unaware the bugging had been done by the FBI, there being a strong implication "that the conversations had been obtained by local police departments."

William E. Bufalino
WILLIAM E. BUFALINO

CITY OF WASHINGTON }
DISTRICT OF COLUMBIA } ss.

Subscribed and sworn to before me, a Notary Public in and for the District of Columbia, this 19th day of January, 1967.

Ann L. Sprague
ANN L. SPRAGUE, Notary Public, D. C.

My commission expires June 30, 1970.

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**Exhibit B to Petitioner's Exhibit 15**

AFFIDAVIT

Paul L. Quaglia, after being first duly sworn, deposes and says as follows:

That he resides at 5815 Woodhall, Detroit, Michigan; that he is employed by the Detroit Police Department;

That, during the fall of 1962 and in 1963, he was assigned to certain duties at 15415 Mack Avenue, Detroit, Michigan; that at that location, there were wire taps on a group of telephone lines (four in number), among which was the telephone line of William E. Bufalino;

That it was affiant's duty to monitor the telephone calls of William E. Bufalino and to replay them after the calls were finished; that after each call, affiant would type a memorandum relating the contents of the call and then place that memorandum in a file with a metal fastener;

That affiant's sergeant was William DePugh; that William DePugh worked with affiant on those taps, including the tap on William E. Bufalino at that address; that George O'Connor and William Noseworthy, Detroit Police Officers, also worked on these wire taps with William DePugh and

affiant at the observation post located at 15415 Mack Avenue, Detroit, Michigan;

That William DePugh was in charge of the transcripts of the tapped conversations of William E. Bufalino and all other conversations which went over his tapped telephone lines;

That to affiant's knowledge, the local authorities had no personal interest in Mr. Bufalino, but affiant was under the belief that these wire taps were for the federal government;

That, although affiant does not have a vivid recollection of the contents of the telephone calls, he does know that Mr. Bufalino telephoned on several occasions from Tennessee and talked at length with his wife and son;

That, in addition to personal matters, his wife would ask Mr. Bufalino how things were going, and then Mr. Bufalino would tell her about what was going on, what had happened and what was happening, and what they were planning to do in regards to Mr. Hoffa's matters and he would explain some of the different legal strategy; that this type of conversation occurred several times during Mr. Bufalino's stay in Tennessee;

That all of these conversations were taken from the wire taps on the telephone lines of William E. Bufalino;

That these taps were several miles away from the Bufalino residence, and the telephone was the usually installed telephone instrument put in by the Telephone Company;

That affiant used earphones in the apartment, and there were at least four tapes recorders and four sets of earphones; that there was also a pen register on the Bufalino wire tap used to enable them to know what calls were being made out of the Bufalino home;

That affiant also placed these pen register tapes together with the transcribed conversations of the Bufalino telephone calls; that they were under the supervision and direction of affiant's sergeant, William DePugh;

That affiant does recall that on weekends Bufalino would often be calling from his home to outside individuals although he does not recall the full substance of the conversations; that he does, however, remember Mr. Bufalino, at different times during those periods, talking to people regarding Mr. Hoffa's case; that Bufalino also talked to other lawyers and there was mostly legal conversation; that affiant does not remember the names of these attorneys; that affiant does recall that Mr. Bufalino made calls to Washington, D.C.; that it appeared from the conversations that they were lawyers because they talked legal terms;

That the transcribed tapes of the tapped telephone conversations should be in the files of the Detroit Police Department, Criminal Investigation Bureau, which at that time was under the supervision and direction of Inspector Vincent Piersante.

Paul L. Quaglia
PAUL L. QUAGLIA

Subscribed and sworn to before me
this 28th day of December, 1966

Eleanor E. Petz
Notary Public, State of Michigan,
County of Wayne

My Commission Expires April 8, 1968

**Petitioner's Exhibit 16**

AFFIDAVIT

CITY OF WASHINGTON }
DISTRICT OF COLUMBIA } ss.

I, William E. Bufalino, a member of the bar of the Commonwealth of Pennsylvania and of the Supreme Court of the United States, state as follows:

1. I am a citizen of the United States and a resident of Grosse Ponte Shores, Michigan. Since 1957, I have been associated with counsel for James R. Hoffa in various prosecutions brought against him by the United States Government in New York City, New York; Nashville, Tennessee; Chattanooga, Tennessee; Chicago, Illinois; Orlando, Florida; and Washington, D. C.

2. On November 15, 1961, I was present when an electronic wireless transmitter was found in the room of James E. Haggerty, Sr., Mr. Hoffa's chief trial attorney, in the San Juan Hotel, Orlando, Florida.

3. Mr. Haggerty, now deceased, and a group of other attorneys, were there representing Mr. Hoffa and his co-defendant, in the case of *United States of America* v. *James R. Hoffa, et al,* No. 1282-61, in the United States District Court for the Southern District of Florida, Orlando Division. Our purpose was to examine documents in the possession of the United States Government which the District Court had permitted us to do.

4. Mr. Haggerty and I had been in the San Juan Hotel from November 13, 1961. On November 15, 1961, I was in Mr. Haggerty's room discussing the pending case with him when Mr. Haggerty reached for the telephone to make a call. He dropped a piece of paper on the floor and bent over to pick it up. He called my attention to a piece of black adhesive tape which was hanging from the underside of a shelf of the telephone table. The lower side of the shelf was approximately 10 inches from the floor. We

looked underneath the table and I observed an object two inches wide and an inch and a half thick. It was taped to the underside of the shelf and appeared to be of black, plastic material. Mr. Haggerty and I were fearful of using his telephone because Mr. Haggerty thought it might be a bomb and that the phone might activate it. We went to my room, which was across the hall, and Mr. Haggerty, in my presence, notified the Orlando Police Department. We were later advised by Lieutenant Bill Yohn of the Orlando Police Department that the object was an electronic wireless transmitter.

5. Mr. Haggerty and I and the other defense attorneys had used Mr. Haggerty's room as a conference room to discuss various problems incident to the prosecution for a period of approximately three days prior to the discovery of the electronic transmitter.

6. We later were advised by the Orlando Police Department that the device had been turned over to the Federal Bureau of Investigation for examination. The FBI, I am advised, asked to interview Mr. Haggerty with reference to the matter and Mr. Haggerty stated that he wanted me present when the interview was conducted, so that I could give such information as I had.

7. We made an appointment in Orlando to meet the FBI in Tampa, Florida on the following day. This was cancelled by the FBI. Shortly thereafter, Mr. Haggerty and I discussed this matter with the FBI in Detroit, Michigan. I have never heard from the FBI since that time.

WILLIAM E. BUFALINO
William E. Bufalino

CITY OF WASHINGTON
DISTRICT OF COLUMBIA } ss.

Subscribed and sworn to before me, a Notary Public in and for the District of Columbia, this 19th day of January, 1967.

Ann L. Sprague
ANN L. SPRAGUE, Notary Public, D. C.

My commission expires June 30, 1970.

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**Petitioner's Exhibit 17**

AFFIDAVIT

CITY OF WASHINGTON
DISTRICT OF COLUMBIA } ss.

I, Daniel B. Maher, a resident of Montgomery County, Maryland and a citizen of the United States, state as follows:

(1) I have been engaged in the practice of law for over thirty years in the District of Columbia. I am a member of the bar of the United States District Court for the District of Columbia, the United States Court of Appeals for the District of Columbia Circuit and the Supreme Court of the United States. I was one of the counsel of record in the case of *United States* v. *Hoffa, et al,* Case Number 1282, Orlando Division of the United States District Court for the Southern District of Florida.

(2) In the course of pretrial motions defense counsel were attempting to prove that certain evidence, used as the basis for the indictment in that case, had been obtained by the tapping of the defendant's telephones by an employee of the Senate of the United States.

(3) As appears from the Congressional Record of the Senate of the United States for Thursday, March 8, 1962, pages 3284, 3306 and 3307, a subpoena ad testificandum and duces tecum was served upon one Edward M. Jones who was a former investigator of the Senate Select Committee on Improper Activities in the Labor or Management Field.

(4) The Senate invoked its Rule XXX which provides that no Senate employee is authorized to produce Senate documents except by order of the Senate; and information secured by Senate staff employees pursuant to their official duties as employees of the Senate may not be revealed without the consent of the Senate. (p. 3306)

(5) The Senate resolved, under its privilege, that Jones be authorized to appear before the Court but directed him not to take with him any papers, documents or evidence then in the custody of the Senate; and further directed that Jones specifically decline to testify concerning any and all matters that might be based on knowledge acquired by him in his official capacity either by reason of documents and papers appearing in the files of said Committee or by virtue of conversations or communications with any person or persons. (pp. 3306, 3307)

(6) The Senate further resolved that a copy of the resolution be sent to the Court. (p. 3307)

(7) Edward M. Jones appeared before the Court in Orlando, Florida on March 14th and after a few qualifying questions he stated he had held himself out as a wiretapper; that he had actually wiretapped; that he had been employed with the McClellan Committee (the Senate Select Committee on Improper Activities in the Labor or Management Field) from March 1, 1957 until July of 1959; and that from March 1, 1960 to the date of his testimony he had been employed by the Immigration and Naturalization Service. When asked whether he had been assigned to the City of Detroit with reference to James R. Hoffa during the

period of time when he was employed by the McClellan Committee, he declined to answer and invoked the privilege of the United States Senate.* (Tr. 965, 966)

(8) Based on the Senate Resolution the District Court allowed his claim of privilege (Tr. 1073, 1074)

DANIEL B. MAHER
Daniel B. Maher

Subscribed and sworn to before me this 19th day of January 1967.

Ann L. Sprague
Notary Public, D. C.

My Commission Expires June 30, 1970.

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*"Tr." references are to the official court transcript in that proceeding.

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**Petitioner's Exhibit 18**

**AFFIDAVIT**

CITY OF WASHINGTON
DISTRICT OF COLUMBIA } ss.

I, Daniel B. Maher, a resident of Montgomery County, Maryland, and a citizen of the United States, state as follows:

1. I have been engaged in the practice of law for over 30 years in the District of Columbia. I am a member of the bar of the United States District Court for the District of Columbia, the United States Court of Appeals for the District of Columbia Circuit, and of the United States Supreme Court.

2. I was one of the counsel of record in the case of *United States of America* v. *James R. Hoffa, et al,* Criminal No. 13,241, which was tried in the United States District

Court for the Middle District of Tennessee, Nashville, Tennessee, from October 22, 1962 to December 23, 1962.

3. On November 1, 1962, I had occasion to invoke the protection of the Court against what I considered to be unmistakable evidence of wire tapping of the telephones in my room and the room of chief trial counsel, James E. Haggerty, Sr., in the Andrew Jackson Hotel in Nashville, Tennessee.

4. The "T" references in this affidavit are to the trial transcript of the above proceeding. I related to the Court two instances from which I had concluded that there was monitoring of our telephone conversations. On October 23, 1962, I received a telephone call and took it in either Room 746 or Room 748. I picked up the telephone, and there was clear indication that the line was open. When I said, "Hello, who is this?" a male voice said, "This is the special switchboard." (T. 1102) On October 25, I was in the room of Mr. Haggerty. I picked up the telephone to call another one of the attorneys in the same hotel. I heard a definite sound as if the 'phone was ringing. I then heard a voice saying, "That is not Maher. Maher is in 732." (T. 1102, 1103)

5. I have since learned, and on information and belief aver, that one of the techniques used by wire tappers and eavesdroppers is to establish a switchboard duplicating the switchboard which transmits the calls they wish to monitor. Lines are leased and run to the duplicate switchboard. All calls going to the monitored switchboard are simultaneously fed to the duplicate switchboard and eavesdroppers may then listen to and record all messages transmitted through the monitored board.

6. The leased line technique of wire tapping has been in use at least since August 17, 1961, since it was acknowleged by the Federal Bureau of Investigation on December 12, 1966 by its release for publication on that day of a photostatic copy of a written approval by Attorney General

Robert F. Kennedy on August 27, 1961, of the use of leased lines for microphonic surveillance (eavesdropping). The approval recited that theretofore they had used leased lines only in telephone taps. The letter is photostatically reproduced on page A8, columns 1 and 2, of the "Washington Post" of December 12, 1966.

7. After I made my statement, the Court propounded the following question to James F. Neal, Special Assistant to the Attorney General, who was prosecuting the case:

> "The Court: I understand that you are representing to the Court that there has been no effort made in any way to have any wire tapped or to encroach on the privacy of the defendant, and the privacy of communications between the defendant and his counsel, is that correct?
>
> "Mr. Neal: Your Honor, I can represent two things: number one, to my knowledge, and I have a responsibility to the case, that there has not been any of that in the slightest. Of course, if something occurred that I don't know of, I can't represent any more that I have no knowledge of that in the slightest." (T. 1107)

8. I further stated to the Court that I was satisfied with Mr. Neal's representation that he had no personal knowledge of any wire tapping or interference with counsel. I further stated that there was a special squad in the Department of Justice directly under the supervision of the Attorney General which did not report directly to the FBI, but reported directly to the Attorney General, and what that squad might do could not be attributed to Mr. Neal. He probably would have no knowledge of it, but that the information that that squad might obtain could very well be imparted to Mr. Neal as legally obtained information. (T. 1108)

9. The Court then stated:

"The Court: That would be true, but I understand that Mr. Neal is representing to the Court that to his knowledge there has been no effort to effect any wire taps as far as the defendant is concerned during this trial.

"Mr. Neal: I go even beyond that. I can say I've been with the Department of Justice for approximately 18 months since March 1, and I represent to this Court that I have never heard in that period of time of anyone at the Department of Justice ever tapping any telephone lines and I have been there on some cases that were fairly important, and I have never heard of that being done in the Department of Justice." (T. 1110)

Daniel B. Maher
DANIEL B. MAHER

Subscribed and sworn to before me, a Notary Public in and for the District of Columbia, this 19th day of January, 1967.

Ann L. Sprague
Notary Public, D. C.

My commission expires June 30, 1970.

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**Petitioner's Exhibit No. 19**

AFFIDAVIT

I, Bernard B. Spindel, being duly sworn, deposes and says:

1. That I reside at Ludingtonville Road, Town of Kent, Putnam County and my mailing address is R. D. 2, Holmes, New York 12531.

2. That I am an electronic technician specializing in wire tapping, electronic eavesdropping, the detection, pre-

vention and the equipment procedures, devices, and all other related contrivances.

3. That for more than twenty years I have been actively engaged in this field and I am familiar with all the methods, techniques and equipment for both wire tapping and electronic eavesdropping.

4. That I have qualified as an expert in this field and have testified as an expert before Congressional and Legislative Committees, Grand Juries and have appeared on national radio and television programs, have published numerous articles in national magazines, periodicals and newspapers.

5. That my qualification as an expert in this field has been accepted on dozens of occasions in both Federal and State Courts.

6. That on January 10, 1967, I was requested by Mr. James R. Hoffa's attorneys to talk to an individual introduced to me as Bud Nichols to discuss the technical aspects of an eavesdropping and wire tapping network that was installed by him, on or about January 15, 1964, at the Patten and Read Hotels in Chattanooga, Tennessee.

7. That during the morning of January 10, 1967, I had a technical discussion by telephone from the City of Washington, D. C., where I was located, to Bud Nichols in Chattanooga, Tennessee.

8. That on the morning of January 11, 1967, I met Mr. Nichols at approximately 9:00 a.m., in the Conference Room of Teamsters' Headquarters, 25 Louisiana Avenue, N. W., Washington, D. C. and had a further discussion with him regarding the details of the technical installations he made in the City of Chattanooga, on or about January 15, 1964.

9. Based upon these conversations and my personal expert knowledge in this field, it is my firm opinion that Bud Nichols does possess the necessary technical knowledge to have installed the wire taps and eavesdrops at both the Patten and Read Hotels in the City of Chattanooga as he claims.

10. That I was at the Patten Hotel in the City of Chattanooga on February 5, 1964 until June, 1964 and that I personally inspected the main telephone terminal boxes containing the cables and wiring for the Patten Hotel and his description was a true and accurate description of these items as they existed at the beginning of the year 1964.

11. In addition, Mr. Nichols had direct knowledge of the physical layout of the hotels and knowledge of certain events and the location of these events which were known only to myself and a limited number of people. I took certain affidavits during my stay in Chattanooga from February 5th to June, 1964. The information I gathered at that time was highly confidential and could only be known to an individual who actually made the eavesdrop and wire tap installations and had physical access to the above-named premises during the early part of the year 1964.

12. Bud Nichols does possess this confidential information and has convinced me that the facts as he relates them are true and that he does possess the technical knowledge to have performed the wire taps and the eavesdrops as he stated.

13. Deponent further sayeth not.

BERNARD B. SPINDEL
Bernard B. Spindel

Washington, D. C. ss:

Subscribed and sworn to before me this 11th day of January, 1967.

ANN L. SPRAGUE
*Notary Public*
District of Columbia
Residing at 25 Louisiana Ave., N. W.
Washington 1, D. C.

My Commission Expires June 30, 1970